

THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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|--------------------------|---|-----------|
| UNITED STATES OF AMERICA |) | 12-CR-107 |
| |) | |
| vs. |) | |
| |) | |
| |) | |
| EARL WARNER |) | |

MOTION TO REVIEW DETENTION ORDER

Defendant, Earl Warner, through his undersigned counsel, files this *Motion to Review Detention Order* and in support thereof avers as follows:

1. On May 17, 2012, Earl Warner waived his right to a detention hearing while “reserving the right to request a detention hearing” at some later time. See, #21.
2. The time has now come.
3. The issue of bail pending trial has now become

relevant and Mr. Warner seeks a hearing on whether there are reasonable measures that can be put in place to assure his appearance at future court proceedings.

4. Mr. Warner is presently in custody at the Mercer County jail.

5. The Defendant submits that conditions may be imposed by this Court pursuant to 18 U.S.C. §3142(b) and (c) that will reasonable assure the appearance of Mr. Warner at subsequent proceedings relating to this matter and will further ensure that Mr. Warner will not endanger the safety of any other person or the community.

6. Mr. Warner has a residence where he may live upon release.

7. Mr. Warner will abide by specified restrictions on personal associations, place of abode, and travel as required in 18 U.S.C. §3142(c)(B)(iv).

8. Mr. Warner will avoid all contact with any potential witnesses who may testify against him concerning the instant matter as required by 18 U.S.C. §3142(c)(B)(v).

9. Mr. Warner will report on a regular basis to Pretrial Services as it may be deemed appropriate pursuant to 18 U.S.C. §3142(c)(B)(vi).

10. Mr. Warner will comply with a specified curfew as required by 18 U.S.C. §3142(c)(B)(vii).

12. Mr. Warner will refrain from possessing a firearm, destructive device, or other dangerous weapon as required by 18 U.S.C. §3142(c)(B)(viii).

13. Mr. Warner will refrain from excessive use of alcohol, or any use of a narcotic drug or other controlled substance as required by 18 U.S.C. §3142(c)(B)(ix).

14. Mr. Warner will undergo medical, psychological, or psychiatric treatment, including treatment for drug or alcohol dependency as required in 18 U.S.C. Section 3142(c)(B)(x).

WHEREFORE, based on the foregoing, Mr. Warner respectfully requests this Court to conduct a detention hearing as required by 18 U.S.C. §3142 for the purpose of considering whether there are conditions of release that may be imposed which will satisfy

the requirements of 18 U.S.C. §3142.

Respectfully submitted,

/s/David B. Chontos

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